

Amendment under 37 C.F.R. § 1.114(c)
U.S. Application No. 10/671,556

REMARKS

This Amendment is in response to the July 14, 2005 Office Action. In the July 14, 2005 Office Action, claims 1, 3, 5 and 7-13 were examined and rejected under 35 U.S.C. § 103(a).

Preliminary Matters

On page 2 of the Office Action, the Examiner maintains that it is unclear whether Applicant is entitled to foreign priority of the entirety of the claims. However, in view of the amendments to claim 1, Applicant submits that the objection is now moot.

Rejections under 35 U.S.C. § 103(a) in view of JP 55-044473 to Hashida ("Hashida") and U.S. Patent No. 6,199,855 to Choeng ("Choeng")

The Examiner has rejected claims 1, 3, 5 and 7-13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hashida in view of Choeng.

A. Claim 1

Applicant submits that neither Hashida nor Choeng disclose the claimed feature of a paper returner that is made flush with a guide plate when the paper returner is in a first position, where the guide plate forms a part of a paper transporting passage. Applicant submits that support for the features of claim 1 are shown in the non-limiting embodiments of Figures 1, 4, 6A and 6B.

In view of the above, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 1.

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B. Claims 3, 5 and 7

Since claims 3, 5 and 7 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claims 8-13

Since claims 8-13 have been canceled, without prejudice or disclaimer, Applicant submits that such claims are patentable at least by virtue of their dependency.

Newly Added Claims

Applicant has added claims 14-16 to provide more varied protection for the present invention. Applicant submits that claims 14-16 are patentable at least by virtue of their dependency upon claim 1.

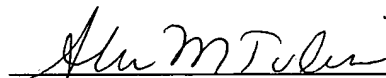
Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: October 13, 2005